

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

**Objections**

The Examiner has objected to the drawings due to lack of consistency of reference numerals appearing in the drawings and in the specification. Figure 3 has been amended to include reference numeral 52 in accordance with the corresponding description in the specification. Additionally, the specification has been amended to include reference to numeral 67, as it appears in Figure 6 of the application. Thus, all outstanding issues with respect to drawing objections have been corrected by this reply. No new matter has been added. Accordingly, withdrawal of this objection is respectfully requested.

Further, claim 4 is objected to by the Examiner. Claim 4 has been canceled by this reply, thus, this objection is now moot.

**Disposition of Claims**

Claims 1-13 and 15-27 are pending in this application. Claims 1-13 and 16-27 have been canceled by this reply without prejudice. Claims 31-53 are newly presented in this reply. No new matter has been added by this amendment and the inclusion of the new claims. Of the new set of claims, claims 15 and 42 are independent. The remaining claims depend, directly or indirectly, from claims 15 and 42.

**Rejections under 35 U.S.C. §102**

Claims 1-3, 7, 15-17, and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,585,866 ("Miller"). Claims 1-3, 7, 16-17, and 21 have been canceled by this reply. Claim 15 has been amended to clarify the present invention recited. To the extent that this rejection still applies to amended independent claim 15 and the newly added claims, this rejection is respectfully traversed.

The present invention relates to a method of providing a user with options for accessing at least one of multiple received channels. The received channels include at least one channel and a service channel corresponding to a digital television system. The method of the present invention provides for a service menu shown on a display to be generated. The display is superimposed over a program transmitted on one of the received channels. The service menu includes a list of several services available to a user. Additionally, upon user selection of one of the listed services from the service menu, at least one subsidiary menu is generated that is shown on the same display. The subsidiary menu is arranged to be displayed together with only the selected one of the listed service chosen by the user. This allows the user to be shown several options for accessing received channel(s).

In contrast to the present invention, Miller teaches an electronic program schedule system. Miller discloses several modes of operation in which different events occur based on the selected mode. In one mode (*i.e.*, the BROWSE mode), information about a program is shown superimposed over the currently shown program. However, in this mode, no menus are provided. Further, another mode of Miller (*i.e.*, the MENU mode), a menu covers the entire screen and several options are provided to the user. For example, if "TV guide" is chosen by the user, then the user is provided with a submenu that is added to the current view.

Specifically addressing the claims of the present invention, independent claim 15 has been amended to include limitations reciting that the display used to show the service menu and subsidiary menu(s) is superimposed over a program transmitted on one of the received channels. Further, amended claim 15 recites that the subsidiary menu is superimposed over the program together with only the selected one of the listed services chosen by the user. The Examiner admits (on page 4 of the Action) that Miller fails to disclose or suggest displaying the service menu and at least one subsidiary menu superimposed over information transmitted on at least one channel. Further, Miller does not disclose or suggest that a subsidiary menu is shown with *only the selected service* chosen by the user from the service list. Thus, it is clear that Miller does not disclose or suggest each and every element of amended independent claim 15. Thus, amended claim 15 is patentable over Miller. Associated dependent claims 31-41 are patentable for at least the same reasons. Moreover, newly added independent claim 42 includes similar allowable subject matter (*i.e.*, a decoder and control unit configured to generate a service menu and at least one subsidiary menu shown on a display that is superimposed over the program), and

is allowable for the same reasons as amended claim 15. Dependent claims 43-53 are also allowable for at least the same reasons as independent claim 42. Accordingly, withdrawal of this rejection is respectfully requested.

### **Rejections under 35 U.S.C. § 103**

Claims 4-5, 8-13, 18-19, and 22-27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Miller in view of U.S. Patent No. 5,828,420 ("Marshall"). Further, claims 6 and 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Miller in view of Marshall, and in further view of U.S. Patent No. 6,115,074 ("Ozkan"). These claims have been canceled by the replay, thus the rejection is now moot with respect to these claims. To the extent that this rejection may still apply to the newly presented claims and amended claim 15, this rejection is respectfully traversed.

Applicant respectfully asserts that neither Miller, Marshall, nor Ozkan, whether considered separately or in combination, render the claimed invention obvious. With respect to Marshall, Marshall teaches a video mix program guide that lets the user decide to what extent the display overlay shall be transparent. Although the Figures of Marshall may indicate that it is possible to flip between program guide and video mix (*i.e.*, shown in the left menu) and also between the various video mixes (*i.e.*, shown in the right menu), Marshall fails to disclose or suggest a subsidiary menu that is shown together with *only the selected service* chosen by the user from the service list. From the figures of Marshall, it is clear that it would be difficult to determine which menu is active, and a user cannot see the options in the menus. In the present invention, the options are easily shown, it is clear which option in the first menu has been chosen, and the menus clearly provide this information without unduly covering the underlying program (which is definitely not an advantage of Miller or Marshall).

Further, Ozkan teaches a system for forming and processing program map information. Ozkan also does not disclose or suggest at least one subsidiary menu shown on a display that is superimposed on a program, where the subsidiary menu is displayed with only the selected service chosen by the user from the service menu. Moreover, because Ozkan is not specifically dedicated to the *display* of the program map information, Applicant respectfully asserts that Ozkan is not sufficiently relevant to amended claim 15 and newly presented claims 31-53.

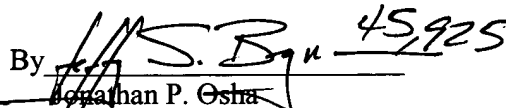
In view of the above, Miller, Marshall, and Ozkan, whether considered separately or in combination, fail to render the amended and newly added claims obvious. Thus, independent claims 15 and 42 are patentable over Miller, Marshall, and Ozkan. Further, associated dependent claims 31-41 and 43-53 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

### Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345.019001; CPT098015).

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Respectfully submitted,

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